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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,731	07/31/2003	Takenori Yoshizawa	0717-0513P	9350

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BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747

EXAMINER
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WUJCIAK, ALFRED J

ART UNIT	PAPER NUMBER
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3632

NOTIFICATION DATE	DELIVERY MODE
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06/24/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/630,731	<b>Applicant(s)</b> YOSHIZAWA, TAKENORI	
	<b>Examiner</b> Alfred Joseph Wujciak III	<b>Art Unit</b> 3632	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period **will** apply and **will** expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply **will**, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 June 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,5-9,12,13 and 16-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-8,13 and 16-18 is/are allowed.
- 6) ☒ Claim(s) 1,5,9 and 12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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This is the non-final Office Action for the serial number 10/630,731, DISPLAY SUBSTRATE ACCOMMODATING TRAY AND APPARATUS AND METHOD FOR REMOVING THE DISPLAY SUBSTRATE, filed on 7/31/03.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 and 5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, line 14, "display substrate" is indefinite because it is now being positively cited. "Display substrate" is not being positively cited in claim 1, line 2. This is combination/subcombination problem.

Claim 5 is rejected as depending on rejected claim 1.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

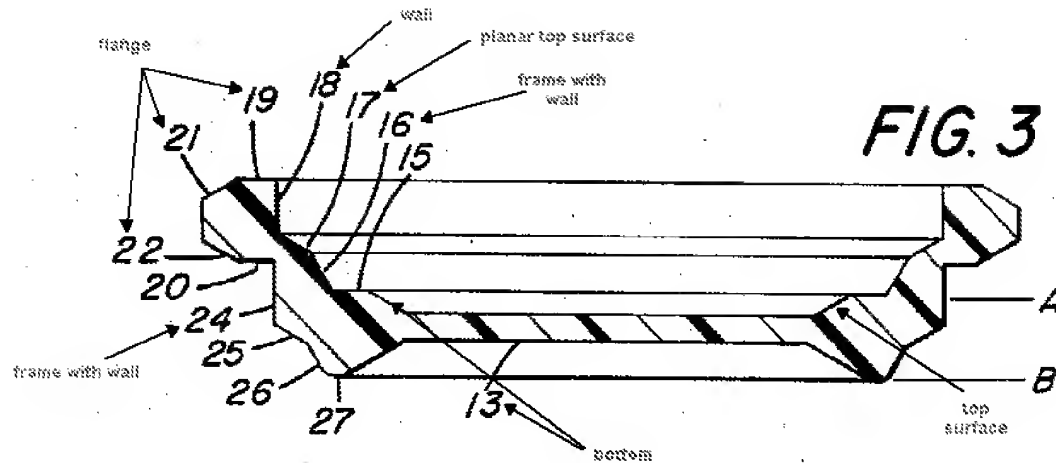
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent # 3,695,424 to Cristy et al.

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Cristy et al. teaches a tray comprising a bottom section (13 and inclined surface above element 13), a frame (16 and 24) provided along a periphery of the bottom section. The frame projects to a level higher than a level of the top surface of the bottom section. The tray includes a flange-like engaging section (19-22) protruding externally from walls of the frame in a substantially horizontal fashion. The frame has a planar top surface and a wall defining an inner periphery of the flange-like engaging section to define a positional relationship. The planar top surface of the frame is parallel to a top surface of the bottom section. The wall of the flange-like engaging section is connected to the planar surface of the frame. The wall of the flange-like engaging section projects to a level higher than the level of the planar top surface of the frame with respect to the surface of the bottom section.

Cristy teaches the width of the frame but fails to teach the width of the frame is substantially larger than the distance between the top of the top surface of the frame and the top surface of the bottom section. It would have been obvious for one of ordinary skill in the art at the time the invention was made to have modified the width of the frame to be larger than the distance between the top of the top surface of the frame and the top surface of the bottom section to provide designer's choice for improving the appearance of the frame.



Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cristy et al. in view of Japan Patent #2003-236953 to Nakajima et al.

Cristy teaches the bottom section and frame are integrally formed but fails to teach the bottom section and frame are formed from a synthetic resin foam material. Nakajima et al. teaches the synthetic resin foam material (10). It would have been obvious for one of ordinary skill in the art at the time the invention was made to have modified Cristy's bottom section and frame with synthetic resin foam material as taught by Nakajima et al. to provide insulating layer in the tray (see abstract in Nakajima et al. invention).

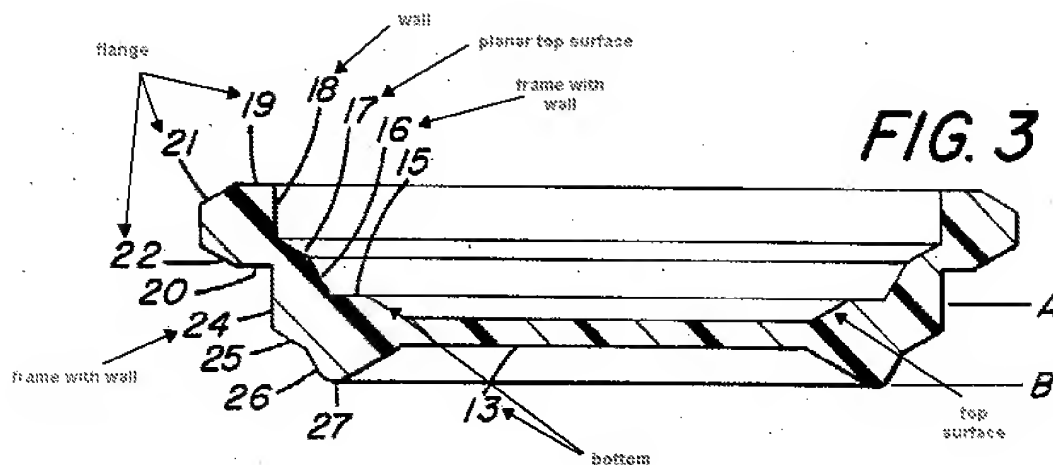
Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cristy et al. and in view of US Patent # 6,116,427 to Wu et al.

Cristy et al. teaches a tray comprising a bottom section (13 and inclined surface above element 13), a frame (16 and 24) provided along a periphery of the bottom section. The frame

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projects to a level higher than a level of the top surface of the bottom section. The tray includes a flange-like engaging section (19-22) protruding externally from walls of the frame in a substantially horizontal fashion. The frame has a planar top surface and a wall defining an inner periphery of the flange-like engaging section to define a positional relationship. The planar top surface of the frame is parallel to a top surface of the bottom section. The wall of the flange-like engaging section is connected to the planar surface of the frame. The wall of the flange-like engaging section projects to a level higher than the level of the planar top surface of the frame with respect to the surface of the bottom section.

Cristy teaches the width of the frame but fails to teach the width of the frame is substantially larger than the distance between the top of the top surface of the frame and the top surface of the bottom section. It would have been obvious for one of ordinary skill in the art at the time the invention was made to have modified the width of the frame to be larger than the distance between the top of the top surface of the frame and the top surface of the bottom section to provide designer's choice for improving the appearance of the frame.



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Cristy teaches the bottom surface but fails to teach the bottom surface having plurality of openings. Wu et al. teaches plurality of openings (321) in the bottom surface. It would have been obvious for one of ordinary skill in the art at the time the invention was made to have added plurality of openings in Cristy bottom surface as taught by Wu et al. to provide viewing of the identification mark on top side of device without removing the upper/stacked tray from the lower tray (column 3, lines 40-43 in Wu et al.'s invention).

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cristy et al. in view of Wu et al. and in further view of Nakajima et al.

Cristy teaches the bottom section and frame are integrally formed but fails to teach the bottom section and frame are formed from a synthetic resin foam material. Nakajima et al. teaches the synthetic resin foam material (10). It would have been obvious for one of ordinary skill in the art at the time the invention was made to have modified Cristy's bottom section and frame with synthetic resin foam material as taught by Nakajima et al. to provide insulating layer in the tray (see abstract in Nakajima et al. invention).

#### ***Allowable Subject Matter***

Claims 6-8, 13 and 16-18 are allowed.

#### ***Response to Arguments***

Applicant's arguments with respect to claims 1, 5, 9 and 12 have been considered but are moot in view of the new ground(s) of rejection.

*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alfred Joseph Wujciak III whose telephone number is (571) 272-6827. The examiner can normally be reached on 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. Allen Shriver can be reached on 571-272-6698. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alfred Joseph Wujciak III/  
Primary Examiner, Art Unit 3632  
6/19/09